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PEPPER HAMILTON LLP

NO. 4465 P. 4/27 020

CROTTY, J.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TYRONE MCDUGLE,

Plaintiff,

-against-

07-CV-9686 (PAC)

SMITHKLINE BEECHAM CORPORATION,
GLAXOSMITHKLINE and SMITHKLINE
BEECHAM CORPORATION d/b/a
GLAXOSMITHKLINE,

Defendants.

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: DEC 13 2007

STIPULATION AND ORDER

IT IS HEREBY STIPULATED by counsel for the above-captioned Plaintiff and Defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline ("GSK") (also improperly named as SMITHKLINE BEECHAM CORPORATION and GLAXOSMITHKLINE), that the time for Defendant GSK to move, plead or otherwise respond to the Plaintiff's Complaint is hereby extended until 30 days after both final transfer of the case to the MDL and the issuance of


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NO. 4465 P. 5
11/25/07 J-D

a Case Management Order, absent any direction by the Court to the contrary.

Dated: November 28, 2007


David Ratner
Victoria J. Maniatis (VM 6388)
MORELLI RATNER PC
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New York, New York 12550

Attorneys for Plaintiff Tyrone McDougle


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and

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PEPPER HAMILTON LLP
3000 Two Logan Square
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Philadelphia, PA 19103

Attorneys for Defendant
SmithKline Beecham Corporation
d/b/a GlaxoSmithKline

SO ORDERED.


United States District Judge

Dated: December 13, 2007

Pepper Hamilton LLP
Attorneys at Law

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December 12, 2007

Via E-mail

The Honorable Paul A. Crotty
United States District Court
Southern District of New York
500 Pearl Street
Courtroom 20-C
New York, NY 10007

Re: McDougle v. SmithKline Beecham 07 CV 9686

Dear Judge Crotty:

As counsel to defendant SmithKline Beecham Corporation d/b/a GlaxoSmithKline, we are re-submitting the attached stipulation for an extension of time to respond to Plaintiff's Complaint in the above referenced matter. The original deadline to respond to the Complaint was November 28, 2007. This stipulation, initially submitted to the Court on November 28, 2007, represents the first request for an extension of time in this matter.

This case involves allegations of personal injury due to plaintiff's use of the prescription medication Avandia. On October 16, 2007, the United States Judicial Panel on Multidistrict Litigation ("JPMDL") ordered that all Avandia cases filed in federal court would be consolidated and transferred to the Eastern District of Pennsylvania to the Honorable Cynthia M. Rufe. On November 14, 2007, defendant filed a Notice of Potential Tag-Along Actions with the Eastern District of Pennsylvania (attached). The *McDougle* case is listed on that Notice as a potential tag-along action. We anticipate that this case will be transferred to the MDL in the near future, and as such, have requested an extension of time to respond to the Complaint until the case is transferred. As indicated in the attached stipulation, counsel for the plaintiff has consented to our request.

Philadelphia Boston Washington, D.C. Detroit New York Pittsburgh

Berwyn Harrisburg Orange County Princeton Wilmington

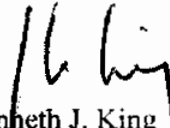
www.pepperlaw.com

Pepper Hamilton LLP
Attorneys at Law

The Honorable Paul A. Crotty
Page 2
December 12, 2007

Please do not hesitate to call me at 212-808-2703 if you have any questions or comments. Thank you for your consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'K. King', written over the printed name.

Kenneth J. King

Enclosures

cc: Victoria J. Maniatis
Morelli Ratner PC
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New York, NY 10022

Pepper Hamilton LLP
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Matthew J. Hamilton
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hamiltonm@pepperlaw.com

November 14, 2007

Via FedEx

Jeffrey N. Lüthi, Clerk of the Panel
Judicial Panel on Multidistrict Litigation
Thurgood Marshall Federal Judiciary Building
One Columbus Circle, N.E.
Room G-255, North Lobby
Washington, DC 20002-8004

Re: In re: Avandia Marketing, Sales Practices and Products Liability Litigation
MDL Docket No. 1871

Dear Mr. Lüthi:

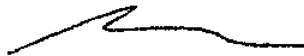
On behalf of SmithKline Beecham Corporation d/b/a GlaxoSmithKline I enclose for filing a Notice of Potential Tag-Along Actions. I enclose a self-addressed, stamped envelope for your convenience in returning a filed stamped copy to me for our files.

Additionally, two actions have been filed directly in the transferee court and assigned to the Honorable Cynthia M. Rufe as related actions:

Jimmy Farmer et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline
No. 2:07-cv-04572-CMR (E.D.P.A.)
Lee R. Wagner et al. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline
No. 2:07-cv-04668-CMR (E.D.P.A.)

I enclose copies of the complaints for your file.

Respectfully,



Matthew J. Hamilton

cc: Service list attached, via First Class Mail

Philadelphia	Boston	Washington, D.C.	Detroit	New York	Pittsburgh
Berwyn	Harrisburg	Orange County	Princeton	Wilmington	

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

In re Avandia Marketing, Sales Practices, and Products Liability Litigation))))))	MDL No. 1871
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NOTICE OF POTENTIAL TAG ALONG ACTIONS (LAYTON ET AL.)

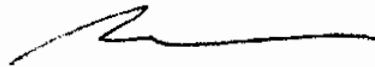
SmithKline Beecham Corporation d/b/a GlaxoSmithKline ("GSK"), pursuant to Rule 7.5(e) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, hereby notifies the Clerk of the Panel of potential tag-along actions as set forth in the attached Schedule and states as follows:

1. By Transfer Order dated October 16, 2007, the Panel ordered that two actions subject to a plaintiff's Motion for Transfer be transferred to the District Court for the Eastern District of Pennsylvania and assigned to the Honorable Cynthia M. Rufe for coordinated and consolidated pretrial proceedings.
2. There are now additional actions pending in federal courts that involve common questions of fact and law. The potential tag along actions are listed on the attached Schedule.
3. Copies of the Complaints are attached hereto for the Panel's Convenience.

4. The potential tag-along actions, like those actions previously transferred, involve allegations that plaintiffs ingested Avandia® and suffered injuries as a result.

5. Transfer of the potential tag-along actions to the Eastern District of Pennsylvania for consolidated and coordinated pre-trial proceedings is therefore appropriate for the same reasons as set forth in the Panel's Transfer Order.

Respectfully submitted,



Nina M. Gussack
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3000 Two Logan Square
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(215) 981-4000
Counsel for SmithKline Beecham Corporation
d/b/a GlaxoSmithKline

Dated: November 14, 2007

SCHEDULE

Name Of Action	District Court	Civil Number	Judge (if assigned)
Mary Layton, individually and as Personal Representative of the Estate of William Layton, Sr. v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Northern District of Florida (Pensacola)	3:07-cv-00476-MCR-MD	Hon. M. Casey Rodgers
Allen Stepner v. SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Southern District of Florida (Miami)	9:07-cv-80927-KLR	Hon. Kenneth L. Ryskamp
Lisa Mae Thomas v. SmithKline Beecham Corporation, GlaxoSmithKline and SmithKline Beecham Corporation d/b/a GlaxoSmithKline	District of Maryland	1:07-cv-02799-RDB	Hon. Richard D Bennett
Mary Ann Paparella v. SmithKline Beecham Corporation, GlaxoSmithKline and SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Southern District of New York	1:07-cv-09683-DAB	Hon. Deborah A. Batts
Tyrone McDougle v. SmithKline Beecham Corporation, GlaxoSmithKline and SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Southern District of New York	1:07-cv-09686-PAC	Hon. Paul A. Crotty
Pamela Putillion v. SmithKline Beecham Corporation, GlaxoSmithKline and SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Southern District of New York	2:07-cv-09685-VM	Hon. Victor Marrero
Rita Shifflett, Individually and as Personal Representative of the Estate of Loyd B. Shifflett, Deceased; Scott Shifflett; Greg Shifflett; and Kelly Posey v. SmithKline Beecham Corporation, GlaxoSmithKline and SmithKline Beecham Corporation d/b/a GlaxoSmithKline	Northern District of Texas (San Angelo)	6:07-cv-00045	Hon. Sam R Cummings

CERTIFICATE OF SERVICE

I, Matthew J. Hamilton, hereby certify that on November 14, 2007, I caused to be served a true and correct copy of the foregoing Notice of Potential Tag-Along Actions upon the following by United States Mail, first class postage prepaid:

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A handwritten signature in black ink, appearing to read 'Matthew J. Hamilton', written over a horizontal line.

Matthew J. Hamilton